

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JESUS CERDA,  
Plaintiff,  
v.

CAPITAL ONE BANK USA NA, et al.,  
Defendants.

Case No. 22-cv-05188-TLT

**CASE MANAGEMENT AND  
SCHEDULING ORDER**

Pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 16-10, **THE  
FOLLOWING DEADLINES ARE HEREBY ORDERED:**

1. TRIAL DATE:

August 19, 2024  
No. of Days: 3  
Courtroom 9, 19th Floor  
Jury Trial

2. FINAL PRETRIAL CONFERENCE:

July 18, 2024, at 3:30 p.m. (in person)  
Last day to *file* joint pretrial statement:  
July 5, 2024  
**LEAD COUNSEL WHO WILL TRY  
THE CASE MUST ATTEND**

3. DISPOSITIVE MOTIONS:

Last day to *file* dispositive motions:  
May 14, 2024  
Last day to be heard:  
June 18, 2024, at 2:00 p.m. (in person)  
See Civil Local Rules for notice and filing  
requirements.

4. FACT DISCOVERY CUT-OFF:

October 18, 2023

5. EXPERT REPORTS:

Opening reports by November 3, 2023  
Rebuttal reports by December 1, 2023

6. EXPERT DISCOVERY CUT-OFF:

December 22, 2023

7. ADR:

Settlement Conference with Magistrate  
Judge to be completed by January 26,  
2024

8. INITIAL DISCLOSURES:

April 6, 2023

9. FURTHER STATUS CONFERENCE:

March 14, 2024, at 2:00 p.m.

**IT IS FURTHER ORDERED** that parties and counsel refer to and comply with Judge Thompson's Civil Standing Order and Civil Pretrial and Jury Trial Standing Order located on the court's website (<https://cand.uscourts.gov/trina-l-thompson/>).

**JURY TRIAL**

The Court will take cause challenges and discuss hardship claims at side bar. The Court will inform counsel which hardship claims and cause challenges will be granted, but will not announce those dismissals until the selection process is completed. Peremptory challenges will be made in writing. The Court will strike at one time those with meritorious hardship claims, those excused for cause, and those challenged peremptorily, and then seat the first six to eight people remaining in numerical order.

The Court will send out to prospective jurors in advance of trial an electronic questionnaire soliciting information. In addition, if the parties wish to submit proposed voir dire questions, the parties must meet and confer and file a **joint set** of proposed questions that the Court may add to the electronic questionnaire. The parties will receive the responses prior to the in-court voir dire.

**SCHEDULING ORDER MODIFICATIONS**

No provision of this order may be changed except by written order of this Court upon its own motion or upon motion of one or more parties made pursuant to Civil Local Rule 7-11 with a

1 showing of good cause. Parties may file a formal brief, but a letter brief will suffice. The  
2 requesting party shall serve the opposing party on the same day the motion is filed and the  
3 opposing party shall submit a response as soon as possible but no later than four days after service.


4 If the modification sought is an extension of a deadline contained herein, the motion must  
5 be brought at least seven (7) days before expiration of that deadline. **The parties may not modify**  
6 **the pretrial schedule by stipulation.** A conflict with a court date set after the date of this order  
7 does not constitute good cause. The parties are advised that if they stipulate to a change in the  
8 discovery schedule, they do so at their own risk. The only discovery schedule that the Court will  
9 enforce is the one set in this order.

10 The Court further advises Plaintiff that the District Court has produced a guide for self -  
11 represented/pro se litigants called Representing Yourself in Federal Court: A Handbook for Pro Se  
12 Litigants, which provides instructions on how to proceed at every stage of a case, including  
13 discovery, motions, and trial. It is available electronically online.

14 The Court also advises Plaintiff that assistance is available through the Legal Help Center.  
15 Parties can make an appointment to speak with an attorney who can provide basic legal  
16 information and assistance. The Help Center does not see people on a “drop-in” basis and will not  
17 be able to represent parties in their cases. There is no charge for this service. The website is  
18 available at <https://cand.uscourts.gov/legal-help>.

19 **IT IS SO ORDERED.**

20 Dated: March 30, 2023

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23 TRINA L. THOMPSON  
24 United States District Judge  
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